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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

AHMED RACHID,

Defendant.

No. 3: 12-70071 JCS

STIPULATION AND ~~PROPOSED~~  
ORDER VACATING HEARING AND  
SETTING DATE FOR INITIAL  
APPEARANCE AND ARRAIGNMENT

Date: May 3, 2012  
Time: 9:30 a.m.

On January 27, 2012, the parties appeared before the Court and set a date for a preliminary hearing on May 3, 2012. The parties stipulated, upon a showing of good cause and with the defendant's consent, that the time between January 27 and May 3, 2012 was excluded under Federal Rule of Criminal Procedure 5.1(d). This time was also excluded under the Speedy Trial Act, to afford the defendant time to obtain counsel, assure continuity of counsel and allow for effective preparation of counsel, 18 U.S.C. §3161(h)(7)(B)(iv).

The parties now move the Court to vacate the scheduled preliminary hearing and set a date for arraignment on an indictment or information on April 27, 2012. The defendant consents to the extension of time and the parties stipulate that good cause exists to extend the time between the date this order is issued and April 27, 2012, under F.R.Cr.P. 5.1(d). The parties

1 further stipulate that the time between the date this order is issued and April 27, 2012 is  
2 excludable under the Speedy Trial Act assure continuity of counsel and allow for effective  
3 preparation of counsel, 18 U.S.C. §3161(h)(7)(B)(iv).

4 SO STIPULATED.

5 DATED: April 16, 2012

MELINDA HAAG  
United States Attorney  
/s/

7 BENJAMIN TOLKOFF  
Assistant United States Attorney

8 DATED: April 16, 2012


/s/

10 BRIAN NEWMAN  
Attorney for AHMED RACHID

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12  
13 For good cause shown and for the reasons set forth above, the preliminary hearing  
14 scheduled for May 3, 2012 is vacated. This matter is scheduled for arraignment on an indictment  
15 or information on April 27, 2012. The time between today and April 27, 2012 is excluded under  
16 F.R.Cr.P. 5.1(d) and the Speedy Trial Act. Failure to grant the exclusion would deny the  
17 defendant continuity of counsel and effective preparation of counsel and would result in a  
18 miscarriage of justice, 18 U.S.C. § 3161(h)(7)(B)(iv).

19 SO ORDERED.

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21  
22 DATE: 4/17/12

  
HON. JACQUELINE SCOTT CORLEY  
United States Magistrate Judge

NANDOR VADAS